

BIBIYAN LAW GROUP, P.C.

David D. Bibiyan (SBN 287811)

david@tomorrowlaw.com

Jeffrey D. Klein (SBN 297296)

jeff@tomorrowlaw.com

Sarah H. Cohen (SBN 330700)

sarah@tomorrowlaw.com

8484 Wilshire Boulevard, Suite 500

Beverly Hills, California 90211

Tel: (310) 438-5555; Fax: (310) 300-1705

Attorneys for MACKENZIE ANNE THOMA, on behalf of herself
and all others similarly situated

**IN THE UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

MACKENZIE ANNE THOMA, a.k.a
KENZIE ANNE, on behalf of herself
and all others similarly situated
employees,

Plaintiffs,
v.

VXN GROUP LLC, a Delaware limited
liability company; STRIKE 3
HOLDINGS, LLC, a Delaware limited
liability company; GENERAL MEDIA
SYSTEMS, LLC, a Delaware limited
liability company; MIKE MILLER, an
individual; and DOES 1 to 100,
inclusive,

Defendants,

CASE NO. 2:23-cv-04901-WLH

[Assigned for all purposes to the Hon.
Wesley L. Hsu]

**DECLARATION OF SARAH H.
COHEN IN SUPPORT OF
PLAINTIFF'S OPPOSITION
TO DEFENDANTS' SPECIAL
MOTION TO STRIKE**

DECLARATION OF SARAH H. COHEN

I, Sarah H. Cohen, declare and state:

1. I am an attorney at law, duly licensed to practice before all the Courts of the State of California and I am an attorney with Bibiyan Law Group, P.C, counsel of record for plaintiff Mackenzie Anne Thoma (“Plaintiff” or “Ms. Thoma”) and all others similarly situated and aggrieved. As such, I am familiar with the file in this matter and if called as a witness I could and would competently testify to the following facts of my own personal knowledge.

2. Defendant STRIKE 3 is known to file dozens of frivolous lawsuits against individual defendants to blackmail them with false copyright claims. Attached hereto is a true and correct copy of the Hon. Judge Royce C. Lamberth’s Memorandum of Opinion regarding Defendant STRIKE 3’s tactics as **Exhibit 1** in Plaintiff’s Request for Judicial Notice. Attached hereto is a true and correct copy of an LA Times Article entitled “Column: This porn company makes millions by shaming porn consumers” as **Exhibit 2** in Plaintiff’s Judicial Notice.

3. Defendant STRIKE 3 threatens individuals with exposing them as porn watchers to the general public and with massive monetary repercussions, even though most of these lawsuits are entirely meritless. On any given day, Defendant STRIKE 3 files up to 60 of these frivolous suits, with nearly 12,000 lawsuits clogging dozens of courts’ dockets. Defendant STRIKE 3 generates approximately \$20 million dollars per year from these frivolous lawsuits. These suits are intended to do nothing except intimidate and blackmail individuals into paying Defendant STRIKE 3 money. **Exhibit 1 and Exhibit 2.**

4. The honorable Judge Otis Wright stated that Defendant STRIKE 3’s tactics are an “extortion scheme.” **Exhibit 2.**

5. The Honorable Judge Royce C. Lamberth of the United States District Court For The District Of Columbia described Defendant STRIKE 3 as a “**copyright troll.**” **Exhibit 1.**

6. Judge Lamberth went on to state that if anyone stands up to Defendant

1 STRIKE 3's disgusting tactics, that the "**troll cuts and runs under the bridge.**" Exhibit 1.

2 7. In fact, Judge Lamberth states Defendant STRIKE 3 does not take these claims
3 to full litigation and only intends to settle them at the earliest opportunity because Defendant
4 STRIKE 3 fear courts will "**disrupt their rinse-wash-and-repeat approach.**" Exhibit 1.

5 8. Twenty-two of the forty cases filed in The D.C District Courts have been
6 voluntarily dismissed by Defendant STRIKE 3. Exhibit 1.

7 9. In his opinion, Judge Lamberth refused to grant Defendant STRIKE 3's ex
8 parte motion because all of their lawsuits "**smack with extortion.**" Exhibit 1.

9 10. As a result of Defendants' frivolous anti-SLAPP motion, I spent twelve and
10 one half (12.5) hours preparing Plaintiff's Opposition to Defendants' anti-SLAPP motion,
11 and anticipate spending another three (3) hours preparing for and appearing at the hearing
12 on the instant anti-SLAPP Motion for a total of 15.5 hours.

13 11. My *Lodestar* rate has been approved at \$525 per hour. Therefore, a total of
14 \$8,137.5 in attorney's fees has been accrued.

15 12. I also anticipate incurring \$282.95 in costs in order to file the instant Motion.

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17 Executed on this 15th of December, 2023, at Los Angeles, California.

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/s/ Sarah H. Cohen

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Sarah H. Cohen

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